

PETER C. MEIER (SB# 179019) petermeier@paulhastings.com  
ERIC A. LONG (SB# 244147) ericlong@paulhastings.com  
JAMIE WILLIAMS (SB# 279046) jamiewilliams@paulhastings.com  
PAUL HASTINGS LLP  
55 Second Street  
Twenty-Fourth Floor  
San Francisco, CA 94105-3441  
Telephone: (415) 856-7000  
Facsimile: (415) 856-7100

MICHAEL T. RISHER (SB# 191627) mrisher@aclunc.org  
AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF  
NORTHERN CALIFORNIA, INC.  
39 Drumm Street  
San Francisco, CA 94111  
Telephone: (415) 621-2493  
Facsimile: (415) 255-8437

Attorneys for Plaintiffs  
ELIZABETH AIDA HASKELL, REGINALD ENTO,  
JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,  
on behalf of themselves and others similarly situated

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ELIZABETH AIDA HASKELL,  
REGINALD ENTO, JEFFREY PATRICK  
LYONS, JR., and AAKASH DESAI, on  
behalf of themselves and others similarly  
situated,

Plaintiffs,

vs.

KAMALA D. HARRIS, Attorney General  
of California; EVA STEINBERGER,  
Assistant Bureau Chief for DNA Programs,  
California Department of Justice,

Defendants.

Civil Case No. C 09-4779 CRB

**CLASS ACTION**

**STIPULATION AND ORDER RE:  
CONTINUANCE OF CASE  
MANAGEMENT CONFERENCE**

Date: April 26, 2013  
Time: 8:30 a.m.  
Dept.: Courtroom 8, 19th Floor

Honorable Charles R. Breyer

Complaint Filed: October 7, 2009  
First Am. Complaint Filed: December 1, 2009

1 Plaintiffs Elizabeth Aida Haskell, Reginald Ento, Jeffrey Patrick Lyons, Jr., and  
2 Aakash Desai, and Defendants Kamala D. Harris, Attorney General of California, and Eva  
3 Steinberger, Assistant Bureau Chief for DNA Programs, California Department of Justice, by and  
4 through their counsel, hereby agree and stipulate as follows:

5 WHEREAS, the parties have a Case Management Conference (“CMC”) currently  
6 scheduled for April 26, 2013 at 8:30 a.m.;

7 WHEREAS, on September 19, 2012, an en banc panel of the Ninth Circuit reheard  
8 the pending appeal of this Court’s order;

9 WHEREAS, on November 9, 2012, the Supreme Court granted certiorari in  
10 another case addressing whether the Fourth Amendment allows the states to collect and analyze  
11 DNA from people arrested and charged with serious offenses, *King v. Maryland*, 42 A.3d 549  
12 (Md. 2012), cert. granted, 81 U.S.L.W. 3127 (U.S. Nov. 9, 2012), and held argument on February  
13 26, 2013;

14 WHEREAS, on November 13, 2012, the Ninth Circuit deferred submission of this  
15 case pending the U.S. Supreme Court’s decision in *King v. Maryland*, 42 A.3d 549 (Md. 2012);

16 WHEREAS, by agreement of the parties, counsel request a continuance of  
17 approximately 120 days;

18 NOW THEREFORE, the parties, by and through their undersigned counsel,

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 hereby stipulate and agree that the April 26, 2013 CMC shall be continued, and that a CMC shall  
2 be held on August 23, 2013 at 8:30 a.m. Should an earlier date become necessary or appropriate  
3 by any further action of the Ninth Circuit, the parties will contact the Court.  
4  
5

6 DATED: April 2, 2013

PAUL HASTINGS LLP

7 By: /s/ Eric A. Long

Eric A. Long

8 Attorneys for Plaintiffs

9 ELIZABETH AIDA HASKELL, REGINALD ENTO,  
10 JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,  
on behalf of themselves and others similarly situated

11 DATED: April 2, 2013

OFFICE OF THE ATTORNEY GENERAL

12 By: /s/ Daniel J. Powell

Daniel J. Powell

13 Deputy Attorney General

14 Attorneys for Defendants

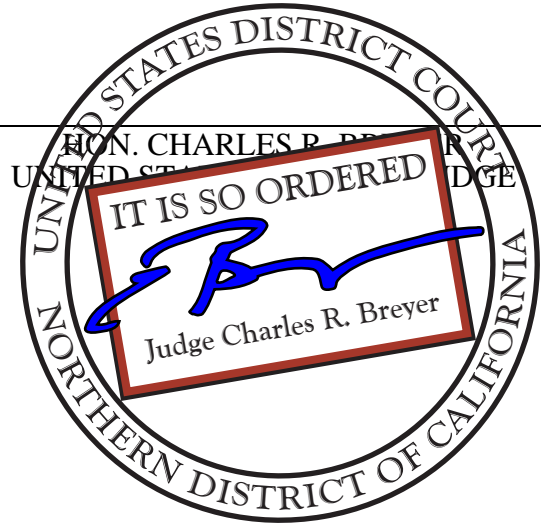
15 KAMALA D. HARRIS, Attorney General of California and  
16 EVA STEINBERGER, Assistant Bureau Chief for DNA  
17 Programs, California Department of Justice  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

The Court has considered the above Stipulation, and good cause appearing therefore, the Court hereby ORDERS as follows: The April 26, 2013 CMC shall be continued, and a Case Management Conference shall be held on August 9, 2013 at 8:30 a.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April 10, 2013



LEGAL\_US\_W # 74724810.1